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DAY CARE CENTERS

This Users' Manual is issued as an operational tool.

This Manual contains

- a) Regulations adopted by the California Department of Social Services (CDSS) for the governance of its agents, licensees, and/or beneficiaries
- b) Regulations adopted by other State Departments affecting CDSS programs
- c) Statutes from appropriate Codes which govern CDSS programs
- d) Court decisions and
- e) Operational standards by which CDSS staff will evaluate performance within CDSS programs.

Regulations of CDSS are printed in gothic type as is this sentence.

Handbook material, which includes reprinted statutory material, other departments' regulations and examples, is separated from the regulations by double lines and the phrases "**HANDBOOK BEGINS HERE**", "**HANDBOOK ENDS HERE**" in bold print. Please note that both other departments' regulations and statutes are mandatory, not optional.

In addition, please note that as a result of the changes to a new computer system revised language in this manual letter and subsequent community care licensing manual letters will now be identified by graphic screen.

Questions relative to this Users' Manual should be directed to your local licensing agency.

CHAPTER 2. DAY CARE CENTERS**SUBCHAPTER 1. BASIC REQUIREMENTS****Article 1. GENERAL REQUIREMENTS AND DEFINITIONS****101251 GENERAL****101251**

- (a) Day care centers as defined in Section 101152d.(1) shall be governed by the provisions specified in this chapter. In addition, such day care centers, except where specified otherwise in this chapter, shall be governed by Chapter 1, Child Day Care General Licensing Requirements.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73 and 1596.81, Health and Safety Code.

101252 DEFINITIONS**101252**

In addition to Section 101152, the following shall apply.

- a. (Reserved)
- b. (Reserved)
- c. (1) "Combination Center" means any combination of child day care center, infant center, and school-age child day care center and day care center for mildly ill children, owned and operated by one licensee at a common address as specified in Section 101159.
- (2) Repealed by Manual Letter No. CCL-91-36, effective 5/28/91.
- d. (1) "Day Care Center" or "Center" means "Day Care Center" as defined in Section 101152d.(1).

HANDBOOK BEGINS HERE

- (A) "Day Care Center" means any facility, of any capacity, other than a family day care home as defined in Section 102352f.(1), in which less than 24-hour per day nonmedical care and supervision is provided for children in a group setting.
- (B) The definition encompasses a wide variety of settings. The local licensing agency should be contacted whenever there is a doubt regarding the licensure of a particular facility providing child care.

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101252 **DEFINITIONS** (Continued)**101252**

(2) "Day Care Center Director" means the administrator of a day care center.

(A) The term "head teacher" shall be an appropriate substitute for the term "day care center director", provided that the head teacher meets the qualifications of a day care center director and there is written delegation of responsibilities as specified in Section 101315(c)(1).

e. (1) "Emergency Substitute" means a person at least 18 years of age.

f. (Reserved)

g. (Reserved)

h. (Reserved)

i. (Reserved)

j. (Reserved)

k. (Reserved)

l. (Reserved)

m. (Reserved)

n. (Reserved)

o. (Reserved)

p. (1) "Parent" means authorized representative as defined in Section 101152a.(4).

q. (1) "Qualified Teacher Substitute" means a person at least 18 years of age with at least 6 postsecondary semester or equivalent quarter units of early childhood education or child development.

r. (Reserved)

s. (Reserved)

101252 **DEFINITIONS** (Continued)**101252**

- t. (1) "Toddler Component" means the component of a preschool program designed for children who are between the ages of 18 months and 30 months.
- u. (Reserved)
- v. (Reserved)
- w. (Reserved)
- x. (Reserved)
- y. (Reserved)
- z. (Reserved)

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.74, 1596.75, 1596.76, 1596.81, and 1596.955, Health and Safety Code.

Article 2. LICENSING**101260 POSTING OF LICENSE****101260**

- (a) The license shall be posted in a prominent, publicly accessible location in the center.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73 and 1596.81, Health and Safety Code.

Article 3. APPLICATION PROCEDURE**101283 TERMS OF AN INITIAL OR RENEWAL LICENSE****101283**

- (a) An initial or renewal license to operate a day care center shall be issued in accordance with Health and Safety Code Section 1596.97.

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- (1) Health and Safety Code Section 1596.97 provides in part:

A license or special permit for a day care center for children may be issued for a period not to exceed three years, providing the licensee has been found not to be in violation of any statutory requirements or rules or regulations during the preceding license period.

HANDBOOK ENDS HERE

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.81(b), 1596.96 and 1596.97, Health and Safety Code.

Article 4. ADMINISTRATIVE ACTIONS**101296 EVALUATION VISITS****101296**

- (a) In addition to Section 101196, a comprehensive evaluation of each licensed day care center shall be performed as required by Health and Safety Code Section 1597.09.

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- (1) Health and Safety Code Section 1597.09 requires that site visitations to all licensed day care centers shall be made annually and as often as necessary to ensure compliance.

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NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.81(b), 1596.852, 1597.05, 1597.08 and 1597.09, Health and Safety Code.

Article 5. ENFORCEMENT PROVISIONS (Reserved)

Article 6. CONTINUING REQUIREMENTS**101312 REPORTING REQUIREMENTS****101312**

- (a) In addition to Section 101212, the following shall apply.
- (b) The name of the day care center director, and any fully qualified teacher(s) designated to act in the day care center director's absence, shall be reported to the licensing agency within 10 days of a change of day care center director or designees.
 - (1) Whenever a change in day care center director is reported, in addition to his/her name, the report shall include the following:
 - (A) Verification of the completion of the coursework required in Section 101315(h). A photocopy of a college transcript or a Children's Center Supervisory Permit shall meet this requirement.
 - (B) Verification of successful completion of high school. A photocopy of a high school diploma or GED shall meet this requirement.
 - (C) A summary of the experience required in Section 101315(h).
- (c) The licensee shall notify the licensing agency of his/her intent prior to making any structural changes, including but not limited to room additions, which reduce the total amount of indoor or outdoor activity space.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101315	DAY CARE CENTER DIRECTORS QUALIFICATIONS AND DUTIES	101315
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- (a) In addition to Section 101215, the following shall apply.
- (b) All day care centers shall have a director.
 - (1) Only one director shall be required in a combination center.
- (c) The day care center director shall be responsible for the operation of the center; for compliance with regulations; for communications with the licensing agency; and shall have the authority to acknowledge receipt of deficiency notices and to correct deficiencies that constitute immediate threats to children's health and safety.
 - (1) There shall be a clear written statement of the administrative responsibility and authority delegated to the day care center director.
 - (A) A copy of this written statement shall be given to the day care center director and shall be made available to the licensing agency upon request.
- (d) The day care center director, or substitute director as specified in (f)(1) below, shall be on the premises, during the hours the center is in operation.
 - (1) The director shall not accept outside employment which interferes with the duties specified in these regulations.
- (e) A day care center offering evening and/or nighttime programs in addition to day programs, shall employ a director for each program.
- (f) When temporarily away from the center, the day care center director shall have the authority to delegate his/her responsibilities as specified below.
 - (1) When the day care center director is absent temporarily from the center, arrangements shall be made for a fully qualified teacher as specified in Section 101316.2(c) to act as substitute. This substitute day care center director shall be aware of center operations, including total enrollment; shall be trained in program operation; and shall be designated as an authorized person to correct operational deficiencies that constitute immediate threats to children's health and safety.

101315 DAY CARE CENTER DIRECTORS QUALIFICATIONS AND DUTIES 101315
(Continued)

- (2) If the absence is for more than 30 consecutive calendar days, the acting day care center director shall meet the qualifications of a director.
- (g) A licensee who is responsible for two or more centers shall be permitted to serve as the day care center director of one of the centers provided he/she meets the qualifications specified in (h) below, or to serve as the executive director for all the centers, provided that a qualified day care center director is employed for each.
- (h) Day care center directors hired after the effective date of this section shall have completed one of the following prior to employment:
 - (1) High school graduation or GED; completion, with passing grades, of 15 semester units or equivalent quarter units in early childhood education at an accredited or approved college or university; and at least four years of teaching in a licensed day care center or comparable group child care program.
 - (A) Three semester units or equivalent quarter units of the 15 units required in (1) above shall be in administration or staff relations.
 - (B) Twelve semester units or equivalent quarter units of the 15 units required in (1) above shall include courses which cover the general areas of child growth and development or human growth and development; child, family and community or child and family; and program/curriculum.
 - (2) An AA degree from an accredited or approved college or university with a major or emphasis in early childhood education or child development and at least two years of teaching experience in a licensed day care center or comparable group child care program.
 - (A) Three semester units or equivalent quarter units shall be in administration or staff relations.

101315	DAY CARE CENTER DIRECTORS QUALIFICATIONS AND DUTIES	101315
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(Continued)

- (3) A bachelor's degree from an accredited or approved college or university with a major or emphasis in early childhood education or child development and at least one year of teaching experience in a licensed day care center or comparable group child care program.
- (A) Three semester units or equivalent quarter units shall be in administration or staff relations.
- (4) A Children's Center Supervisory Permit issued by the California Commission for Teacher Preparation and Licensing.
- (i) Approved schools, colleges or universities, including correspondence courses offered by the same, means those approved/authorized by the U.S. Department of Education, Office of Postsecondary Education or by the California State Department of Education, Office of Private Postsecondary Education pursuant to Education Code Sections 94310.1(a) or (b), or 94311(c) or (d).
- (j) Accredited schools, colleges or universities, including correspondence courses offered by the same, means those accredited by any one of the following recognized accrediting agencies.
- (1) Accrediting Commission, National Home Study Council.
- (2) Western Association of Schools and Colleges.
- (k) Units earned through correspondence courses from approved or accredited schools, colleges or universities shall be accepted for meeting educational requirements as specified in (h) above.
- (l) Each year of experience required in (h)(1), (2), or (3) above shall be verified as having been performed satisfactorily, at least 3 hours per day for a minimum of 100 days in a calendar year, as a teacher under the supervision of a person who would qualify as a director under these regulations.
- (m) Day care center directors employed prior to May 1, 1970, who were previously exempted from the 15 unit education requirement, shall complete one of the options specified in (h) above no later than January 1986.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.87, 1597.05 and 1597.055, Health and Safety Code.

101316.2 TEACHER QUALIFICATIONS AND DUTIES**101316.2**

- (a) In addition to Section 101216, the following shall apply.
- (b) Prior to employment, a teacher shall have completed at least six semester units or equivalent quarter units of the education requirement specified in (c)(1) below.
 - (1) After employment, a teacher hired under (a) above shall complete, with passing grades, at least two units each semester or quarter until the education requirement specified in (c)(1) below is met.
- (c) To be a fully qualified teacher, a teacher shall have one of the following:
 - (1) Twelve postsecondary semester units or equivalent quarter units in early childhood education or child development completed at an accredited or approved college or university, and at least six months of work experience in a licensed day care center or comparable group child care program.
 - (A) The educational units specified in (1) above shall include courses which cover the general areas of child growth and development or human growth and development; child, family and community or child and family; and program/curriculum.
 - (B) Experience shall be verified as having been performed satisfactorily, at least three hours per day for a minimum of 50 days in a six month period, as a paid or volunteer staff member under the supervision of a person who would qualify as a teacher or director under these regulations.
 - (2) A current and valid Child Development Associate (CDA) credential with the appropriate age level endorsement issued by the CDA National Credentialing Program, and at least six months of on-the-job training and/or work experience in a licensed child care center or comparable group child care program.
 - (A) A CDA credential shall show the appropriate preschool or infant/toddler age level endorsement to qualify an individual for employment in a preschool or infant day care center.
 - (B) A CDA credential is valid for three years from date of award and renewals may be granted, after approval, for an additional five years by the CDA National Credentialing Program.
 - (C) Experience shall be verified as having been performed satisfactorily, at least three hours per day for a minimum of 50 days in a six month period, as a paid or volunteer staff member under the supervision of a person who would qualify as a teacher or director under these regulations.

101316.2 TEACHER QUALIFICATIONS AND DUTIES (Continued)**101316.2**

- (D) Individuals who possess a CDA credential may have also met the required six months work experience specified in Section 101316.2(c)(2). This work experience shall be verified to confirm the experience requirement has been fulfilled. Verification may be obtained by contacting the National Credentialing Program, 1718 Connecticut Avenue, Northwest, Suite 500, Washington, D.C. 20009, (1-800-424-4310).
- (3) A Children's Center Permit issued by the California Commission on Teacher Preparation and Licensing.
- (d) Approved schools, colleges or universities, including correspondence courses offered by the same, means those approved/authorized by the U.S. Department of Education, Office of Postsecondary Education or by the California State Department of Education, Office of Private Postsecondary Education pursuant to Education Code Sections 94310.1(a) or (b), or 94311(c) or (d).
- (e) Accredited schools, colleges or universities, including correspondence courses offered by the same, means those accredited by any one of the following recognized accrediting agencies.
- (1) Accrediting Commission, National Home Study Council.
- (2) Western Association of Schools and Colleges.
- (f) Units earned through correspondence courses from approved or accredited schools, colleges or universities shall be accepted for meeting educational requirements as specified in (c) above.
- (g) A photocopy of the teacher's Children's Center Permit or transcripts documenting successful completion of the required coursework shall be maintained at the center.
- (h) These education requirements shall not apply to teachers employed as teachers prior to May 1, 1970. A teacher who was employed prior to May 1, 1970 shall remain qualified provided he/she has no break in employment, as a teacher in a day care center, exceeding three consecutive years.
- (i) Each teacher shall visually observe aides under his/her supervision whenever the aide is working with children.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.87, 1597.05, 1597.055 and 1597.057, Health and Safety Code.

101316.3 TEACHER AIDE QUALIFICATIONS AND DUTIES**101316.3**

- (a) In addition to Section 101216, the following shall apply:
- (b) Notwithstanding Section 101216(d), centers shall be permitted to use aides who are less than 18 years old provided they are either:
 - (1) High school graduates.
 - (2) Currently participating in an occupational program conducted by an accredited high school or college.
- (c) Verification that an aide who is less than 18 years old meets the qualifications required in (b)(1) or (2) above shall be obtained and maintained at the center.
- (d) An aide assisting a fully qualified teacher (as specified in Section 101316.2(c)) in the supervision of up to 18 preschool age children, pursuant to Section 101316.5, shall meet the following requirements:
 - (1) Completion of six postsecondary semester or equivalent quarter units in early childhood education or child development, or
 - (2) Completion of at least two postsecondary semester units or equivalent quarter units in early childhood education or child development each semester or quarter following initial employment, and
 - (3) Continuation in the educational program each semester or quarter until six units have been completed.
- (e) An aide shall work only under the direct supervision of a teacher.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81, 1596.87, 1597.05, and 1597.059, Health and Safety Code.

101316.5 TEACHER-CHILD RATIO**101316.5**

- (a) There shall be an overall ratio of not less than one teacher present to 12 children in attendance, except as specified in (b) and (c) below.
- (1) The number of children in attendance shall not exceed licensed capacity.
- (2) Whenever children are engaged in activities away from the center no teacher shall be in charge of a group of more than 12 children.

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- (A) Activities outside the perimeter of the licensed day care center pose additional hazards to children. An effort should be made to gain an adult-child ratio of at least 1:6 through the use of adult volunteers.

HANDBOOK ENDS HERE

- (b) The licensee shall be allowed to use teacher's aides in a teacher-child ratio of one teacher and one aide for every 15 children in attendance.
- (1) A ratio of one fully qualified teacher, as specified in Section 101316.2(c), and one aide for every 18 children in attendance in a preschool program shall be allowed when the aide meets the qualifications specified in Section 101316.3(d).
- (A) This ratio applies only to children enrolled in a day care center who are not enrolled in either an infant care center or school-age child day care center.
- (c) Child development programs funded by the State Department of Education and operating under the provisions of Title 5 of the California Code of Regulations shall not be required to meet the teacher-child ratios specified in (a) and (b) above. Title 5 staffing ratios shall be applicable in such centers.

101316.5 TEACHER-CHILD RATIO (Continued)**101316.5**

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- (1) Section 18290 of Title 5 of the California Code of Regulations provides:

Contractors shall maintain at least the following minimum ratios in all centers:

- (A) Infants (birth to 18 months old) - 1:3 adult-child ratio, 1:18 teacher-child ratio.
 - (B) Toddlers (18 months to 36 months old) - 1:4 adult-child ratio, 1:16 teacher-child ratio.
 - (C) Preschool (36 months to enrollment in kindergarten) - 1:8 adult-child ratio, 1:24 teacher-child ratio.
 - (D) Children enrolled in kindergarten through 14 years old - 1:14 adult-child ratio, 1:28 teacher-child ratio.
 - (E) Compliance with these ratios shall be determined based on actual attendance.
- (2) Section 18291 of Title 5 of the California Code of Regulations provides:
- (A) Whenever groups of children of two (2) age categories are commingled and the younger age group exceeds fifty percent (50%) of the total number of children present, the ratios for the entire group must meet the ratios required for the younger age group.

HANDBOOK CONTINUES

101316.5 TEACHER-CHILD RATIO (Continued)**101316.5**

HANDBOOK CONTINUES

- (B) If the younger age group does not exceed fifty percent (50%) of the total number of the children present, the teacher-child and adult-child ratios shall be computed separately for each group.
- (3) Section 18292 of Title 5 of the California Code of Regulations provides:
- Except as otherwise provided in this Division or Title 22 California Code of Regulations, Community Care Licensing Standards the program may exceed teacher-child and adult-child ratios prescribed by Section 18290 by fifteen percent (15%) for a period of time not to exceed one hundred twenty (120) minutes in any one day.

HANDBOOK ENDS HERE

- (d) The licensee shall be permitted to include the director in the teacher-child ratio when actually engaged in teaching a group of children.
- (1) The licensee shall be permitted to include the substitute day care center director in the teacher-child ratio when actually engaged in teaching a group of children.
- (e) Each licensee shall maintain an up to date list of qualified teacher substitutes, as defined in Section 101252q.(1), who shall be called immediately in case of emergency or illness to meet the teacher-child ratios required by this chapter.
- (f) During nap periods the teacher-child ratio specified in Section 101330(c) shall apply.
- (g) The teacher shall not be required to perform housekeeping or maintenance duties which prevent him/her from performing duties related to providing care and supervision.
- (h) Persons employed for clerical, housekeeping and maintenance functions shall not be included as teachers in the teacher-child ratio.
- (1) The licensee shall be allowed to use such persons as emergency substitutes for teachers while a qualified teacher substitute is being secured.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81, 1597.05, and 1597.059, Health and Safety Code.

101316.6 PRESCHOOL PROGRAM WITH TODDLER COMPONENT**101316.6**

- (a) Licensees serving preschool age children may create a special program component for children between the ages of 18 months and 30 months. The provisions of Sections 101151 through 101339.2 shall apply for children over 24 months, except as specified in Sections 101316(a)(1) through (6). The provisions of Sections 101351 and 101439.1 shall apply for children between the ages of 18 and 24 months participating in a preschool toddler component, except as specified in Sections 101316.6(a)(1) through (6).
- (1) Day care centers with an existing preschool program wishing to establish a toddler component shall submit an amended application and obtain approval from the Department.
 - (2) Children in a day care center between the ages of 18 months and 30 months may be placed in the toddler program. Children older than 30 months may participate in the toddler program with written parental permission. No children shall be placed in the preschool program before the age of 30 months without written parental permission.
 - (3) It shall be permissible for a child whose developmental needs require continuation in a toddler component to remain in the toddler component up to a maximum age of three years.
 - (4) A ratio of six children to each teacher shall be maintained for all children in attendance in the toddler program. An aide who is participating in on-the-job-training may be substituted for a teacher when directly supervised by a fully qualified teacher.
 - (5) The maximum group size, with two teachers, or one fully qualified teacher and one aide, shall not exceed 12 toddlers.
 - (6) The toddler program shall be conducted in areas physically separate from those used by older or younger children. Space planning and usage for the toddler component shall be governed by the provisions of Section 101438.3. Plans to alternate use of outdoor play space must be approved by the Department.
 - (A) Requirements for physical separation between children in the toddler component and older or younger children need not apply when a planned activity is being conducted.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Section 1596.955, Health and Safety Code.

101316.7 STAFFING -- PARENT-COOPERATIVE CENTERS	101316.7
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- (a) Parent-cooperative centers shall employ a full time teacher in addition to the director and participating parents when the number of children reaches 25.
- (b) There shall be at least one staff member or participating parent present for each five children in attendance.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101316.8 STAFFING FOR WATER ACTIVITIES	101316.8
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- (a) There shall be at least one adult present, who has a valid water safety certificate on file at the center, during water activities in or near any of the following bodies of water:
 - (1) Swimming pool.
 - (2) Any portable pool, the sides of which are so high that the children using it cannot step out unassisted by a person or device, including a ladder.
 - (3) Potentially dangerous natural bodies of water including but not limited to oceans, lakes, rivers, and streams.
- (b) A ratio of not less than one adult, including teachers, to every six children, or fraction thereof, shall be maintained during water activities in or near any of the bodies of water specified in (a)(1) through (3) above.
 - (1) Lifeguards or personnel supervising anyone other than center children at the water activity site shall not be included in this ratio.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81, 1596.87 and 1597.05, Health and Safety Code.

101319	ADMISSION POLICIES	101319
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- (a) In addition to Section 101219, the following shall apply:
- (b) Every center shall have all admission policies in writing and available to the public. The policies shall coincide with the limitations stated on the license, and shall include but not be limited to the following:
 - (1) Written admission criteria designating those children whose needs can be met by the center's program and services.
 - (2) The ages of children who will be accepted.
 - (3) The program activities.
 - (4) The supplementary services provided, if any.
 - (5) Field trip provisions, if any.
 - (6) Transportation arrangements, if any.
 - (7) Food service provisions.
 - (8) Medical assessment requirement.
- (c) The licensee shall be allowed to accept children who are physically handicapped, mentally disordered or developmentally disabled provided that the center is able to meet the individual needs of each child.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101319.1 ADMISSION PROCEDURES**101319.1**

- (a) Each licensee shall develop, implement and maintain an admission procedure, according to the center's individual program, policies, and needs, which enables the person in charge of admissions to:
 - (1) Determine that the child meets the center's admission criteria.
 - (2) Conduct one or more personal interviews with the parent which meet the following requirements:
 - (A) Enable the person responsible for admissions to understand the state of the child's individual health, physical and emotional development, and whether his/her needs can be met by the center.
 - (B) Provide the parent with information about the center which shall include at least, its admission policies and procedures, activities, services, regulations, hours and days of operations, fees, procedures which shall be followed should the child become ill or injured while at the center, and inspection for illness procedures.
 - (C) Provide each parent with a copy of a child abuse prevention pamphlet furnished by the Department.
 - 1. The licensee shall request the parent to sign and date a receipt that the parent has received and read the pamphlet.
 - (3) Obtain all identifying information specified in Sections 101221(b) and 101321(b).
 - (4) Obtain all health information specified in Section 101220 and 101321(c).
- (b) Within 30 days of receipt of an initial supply of child abuse prevention pamphlets furnished by the Department, the licensee shall distribute a pamphlet to the parent of each child being cared for in the facility.
 - (1) The licensee shall request the parent to sign and date a receipt that the parent has received and read the pamphlet.
- (c) The center shall inform parents/guardians of their right to enter and inspect the center in accordance with Health and Safety Code Section 1596.857.

101319.1 ADMISSION PROCEDURES (Continued)**101319.1**

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Health and Safety Code Section 1596.857 provides:

- (a) Upon presentation of identification, the responsible parent or guardian of a child receiving services in a child day care facility has the right to enter and inspect the facility without advance notice during the normal operating hours of the facility. Parents or guardians when inspecting shall be respectful of the children's routines and programmed activities. The facility shall inform parents and guardians of children receiving services in the facility of the right of the parents and guardians to inspect the facility pursuant to this section.
- (b) No child day care facility shall discriminate or retaliate against any child or parent or guardian on the basis or for the reason that the parent or guardian has exercised his or her right under this section to inspect the facility or has lodged a complaint with the department against a facility.
- (c) If any child day care facility denies a parent or legal guardian the right to enter and inspect a facility or retaliates, the department shall issue the facility a warning citation. For any subsequent violation of this right, the department may impose a civil penalty upon the facility of fifty dollars (\$50) per violation. The department may take any appropriate action, including license revocation.
- (d) Each child day care facility shall permanently post in a facility location accessible to parents and guardians written notice of the right to make an inspection pursuant to this section and the prohibition against retaliation and the right to file a complaint.
- (e) Notwithstanding any other provisions of this section, the person present who is in charge of a child day care facility may deny access to an adult whose behavior presents a risk to children present in the facility and may deny access to noncustodial parents or guardians if so requested by the responsible parent or legal guardian.

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101319.1 ADMISSION PROCEDURES (Continued)**101319.1**

- (1) The center shall provide each parent/guardian with a copy of the notice form furnished by the Department.
 - (A) Each parent/guardian shall be requested to sign and date the notice form acknowledging receipt.
- (2) A copy of the notice shall be posted in a prominent, publicly accessible location in the center.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81, 1596.857 and 1597.05, Health and Safety Code.

101320 MEDICAL ASSESSMENTS**101320**

- (a) In addition to Section 101220, the following shall apply.
 - (1) If a medical assessment meeting the requirements of Section 101220 is not available for each child and cannot be obtained within 30 days of admission:
 - (A) A medical appointment date shall be obtained from the parent upon the child's admission.
 - (B) A TB test shall be obtained on the child within 30 days of admission.
- (b) The licensee shall not be required to document medical assessments on children who are also enrolled in a public or private elementary school.

101320 MEDICAL ASSESSMENTS (Continued)**101320**

- (c) Children whose parents adhere to a religious faith practicing healing by prayer or other spiritual means, shall not be required to meet the requirements of this section provided the parents:
- (1) Provide information relative to the child's health history.
 - (2) Sign a statement which indicates their:
 - (A) Acceptance of full responsibility for the child's health.
 - (B) Refusal to obtain a medical examination of the child.
 - (C) Request that no medical care be given to the child.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101320.1 IMMUNIZATIONS**101320.1**

- (a) Prior to admission children shall be immunized against diseases, as required by the California Administrative Code, Title 17, commencing with Section 6000.

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- (b) California Administrative Code Title 17, Section 6020 requires that appropriate vaccines be received by children as follows:
- (1) The required immunizations for admission to and attendance at a public or private elementary or secondary school, child care center, day nursery, nursery school or developmental center shall be those set forth, according to age, in Table 1.
 - (2) If IPV (inactivated polio vaccine) or a combination of IPV and OPV (oral polio vaccine) is used, for pupils age 6 months and older one dose in addition to the number specified for each age group in Table 1 shall be required.

HANDBOOK CONTINUES

101320.1 IMMUNIZATIONS (Continued)

101320.1

HANDBOOK CONTINUES

- (3) In Table 1 DTP (or DPT) means diphtheria and tetanus toxoids and pertussis vaccine. DT (or Td) and Td (or Dt) mean diphtheria and tetanus toxoids.
 - (4) For pupils who have reached their seventh birthday, a history of any preparations containing both diphtheria and tetanus toxoids (DTP, DT, Td, etc.) shall be acceptable as meeting the requirement for tetanus and diphtheria toxoids that is set forth in Table 1.
 - (5) Pupils who have reached their seventh birthday shall be exempt from the pertussis and mumps immunization requirements.
 - (6) Pupils who entered a California public or private school at the kindergarten level or above on or before January 1, 1980 shall be exempt from the rubella immunization requirement until they transfer to, enter, or attend a school at the seventh and ninth grade levels. These exempted pupils entering ninth grade on or after February 1, 1985 need not be specially screened for meeting the rubella immunization requirement. These exempted pupils entering seventh grade on or after February 1, 1987 need not be specially screened for meeting the rubella immunization requirement.
 - (7) Combination vaccines that include measles, mumps, and rubella components shall be acceptable as meeting the requirements for these vaccines that are set forth in Table 1.
- (c) California Administrative Code, Title 17, Section 6035(a) requires that:
- Any pupil seeking admission to a given public or private elementary or secondary school, child care center, day nursery, nursery school or development center who lacks documentation of having received all the required vaccine doses against poliomyelitis, diphtheria, tetanus, pertussis, measles, rubella and mumps as specified in Table 1, Section 6020, and has not obtained a permanent medical exemption or a personal beliefs exemption to immunization in accordance with Section 6051, may be admitted conditionally if:

HANDBOOK CONTINUES

101320.1 IMMUNIZATIONS (Continued)**101320.1**

HANDBOOK CONTINUES

- (1) He or she has not received all the immunizations required for his or her age group but has commenced receiving doses of all the vaccines in accordance with Table 2, is not currently due for any doses at the time of admission (if he or she is due for any doses at this time they must be obtained before admission), and the pupil's parent or guardian is notified of the date by which the pupil must complete all the required immunizations in accordance with Table 2; or
 - (2) He or she is under age 18 months and has received all the immunizations required for his or her age group but will require additional vaccine doses at an older age, and the pupil's parent or guardian is notified of the date by which the pupil must complete all the remaining doses when they become due in accordance with Table 1, Section 6020; or
 - (3) He or she has obtained a temporary medical exemption for immunization in accordance with Section 6050, and the pupil's parent or guardian is notified of the date by which the pupil must complete all the required immunizations when the temporary exemption terminates; or
 - (4) He or she is a pupil entering a child care center governed by Education Code Section 8263(c), where a different deadline for obtaining all required immunizations may apply.
- (d) California Administrative Code, Title 17, Section 6035(b) requires that appropriate vaccine be received by children as follows:

The public or private elementary or secondary school, child care center, day nursery, nursery school or development center shall not allow the admission of any pupil seeking entry who does not meet the requirements for admission under Section 6025 or 6035. The principal or administrator shall advise the pupil, or the parent or guardian, to contact a physician or agency that provides immunizations.

HANDBOOK CONTINUES

101320.1 IMMUNIZATIONS (Continued)

101320.1

HANDBOOK CONTINUES

TABLE 1. IMMUNIZATION REQUIREMENTS

Institution	Age	Vaccine	Total Doses Received
Child care center, day nursery, nursery school, development center	Less than 2 months	None	
Same as above	2-3 months	1. Polio (OPV)	1 dose
		2. DTP	1 dose
Same as above	4-5 months	1. Polio (OPV)	2 doses
		2. DTP, or combination of DTP and diphtheria- tetanus toxoids.	2 doses
Same as above	6-14 months	1. Polio (OPV)	2 doses ¹
		2. DTP, or combination of DTP and diphtheria- tetanus toxoids	3 doses
Same as above	15-17 months	1. Polio (OPV)	2 doses ¹
		2. DTP, or combination of DTP and diphtheria- tetanus toxoids	3 doses
		3. Measles, rubella and mumps	1 dose of each sepa- rately or combined, on or after the 1st birthday (preferably at age 15 months).
Same as above	18 months -- 4 years	1. Polio (OPV)	3 doses ¹
		2. DTP, or combination of DTP and diphtheria- tetanus toxoids	4 doses
		3. Measles, rubella and mumps	1 dose each, sepa- rately or combined, on or after the 1st birthday (preferably at age 15 months).

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101320.1 IMMUNIZATIONS (Continued)

101320.1

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Institution	Age	Vaccine	Total Doses Received
Elementary school at kindergarten level and above	4-6 years	1. Polio (OPV)	At least 3 doses. One more dose required if the last dose was given before the 2nd birthday.
		2. DTP, or combination of DTP and diphtheria-tetanus toxoids	At least 4 doses. One more dose required if the last dose was given before the 2nd birthday.
		3. Measles, rubella and mumps	1 dose of each, separately or combined, on or after the 1st birthday (preferably at age 15 months).

HANDBOOK CONTINUES

101320.1 IMMUNIZATIONS (Continued)

101320.1

HANDBOOK CONTINUES

Institution	Age	Vaccine	Total Doses Received
Elementary school Secondary school	7-17 years	1. Polio (OPV)	At least 3 doses. One more dose required if the last dose was given before the 2nd birthday. ¹
		2. Diphtheria and tetanus toxoids given as DTP, DT, or Td (pertussis not required)	At least 3 doses. One more Td dose is required if the last dose was given before the 2nd birthday.
		3. Measles, rubella (mumps not required)	1 dose of each, separately or combined, on or after the 1st birthday (preferably at age 15 months).

HANDBOOK CONTINUES

101320.1 IMMUNIZATIONS (Continued)

101320.1

HANDBOOK CONTINUES

TABLE 2. CONDITIONAL ADMISSION IMMUNIZATION SCHEDULE

Vaccine		Time Intervals
Polio (OPV)	1st dose	Before admission.
	2nd dose	As early as 6 weeks but no later than 10 weeks after the 1st dose. Before admission if 10 or more weeks have elapsed since the 1st dose at the time of admission.
	3rd dose	As early as 6 months but no later than 12 months after the 2nd dose. Before admission if 12 or more months have elapsed since the 2nd dose at the time of admission.
	4th dose or more (Required only for entry to kinder- garten level and above)	If the last dose was given before the 2nd birthday one more dose is required before admission.

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101320.1 IMMUNIZATIONS (Continued)

101320.1

HANDBOOK CONTINUES

TABLE 2. CONDITIONAL ADMISSION IMMUNIZATION SCHEDULE (Continued)

Vaccine	Time Intervals
Diphtheria, Tetanus, and Pertussis.	1st dose Before admission.
FOR PUPILS UNDER AGE 7 YEARS:	2nd dose As early as 4 weeks but no later than 8 weeks after the 1st dose. Before admission if 8 or more weeks have elapsed since the 1st dose at the time of admission.
Diphtheria-Tetanus-Pertussis (DTP) or combination of DTP and diphtheria-tetanus toxoids.	3rd dose As early as 4 weeks but no later than 8 weeks after the 2nd dose. Before admission if 8 or more weeks have elapsed since the 2nd dose at the time of admission.
	4th dose As early as 6 months but no later than 12 months after the 3rd dose. Before admission if 12 or more months have elapsed since the 3rd dose at the time of admission.
	5th dose or more (Required only for pupils ages 4-6 years for entry to kindergarten level and above) If the last dose was given before the 2nd birthday, one more dose is required before admission.
OR	

HANDBOOK CONTINUES

101320.1 IMMUNIZATIONS (Continued)

101320.1

HANDBOOK CONTINUES

TABLE 2. CONDITIONAL ADMISSION IMMUNIZATION SCHEDULE (Continued)

Vaccine		Time Intervals
FOR PUPILS AGE 7 YEARS AND OLDER		
Diphtheria-tetanus (Pertussis not required)	1st dose	Before admission.
	2nd dose	As early as 4 weeks but no later than 8 weeks after the 1st dose. Before admission if 8 or more weeks have elapsed since the 1st dose at the time of admission.
	3rd dose	As early as 6 months but no later than 12 months after 2nd dose. Before admission if 12 or more months have elapsed since the 2nd dose at the time of admission.
	4th dose or more	If the last dose was given before the 2nd birthday, one or more doses is required before admission.
Measles	One dose only	Before admission. If the pupil is under age 15 months, this dose is required when age 15 months is reached.

HANDBOOK CONTINUES

101320.1 IMMUNIZATIONS (Continued)

101320.1

HANDBOOK CONTINUES

TABLE 2. CONDITIONAL ADMISSION IMMUNIZATION SCHEDULE (Continued)

Vaccine		Time Intervals
Rubella	One dose only	Before admission. If the pupil is under age 15 months, this dose is required when age 15 months is reached.
Mumps (Not required for pupils age 7 years and older.)	One dose only	Before admission. If the pupil is under age 15 months, this dose is required when age 15 months is reached.

¹If IPV (inactivated polio vaccine) or a combination of IPV and OPV are used, the second dose must be received no later than 10 weeks after the 1st dose, the 3rd dose must be received no later than 10 weeks after the 2nd dose, and a 4th dose is required 6 to 12 months after the 3rd dose. At kindergarten level and above, one more dose is required if the 4th or last dose was given before the 2nd birthday.

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- (e) The licensee shall be permitted to exempt a child from this requirement provided that one of the following requirements is met:
- (1) A physician provides a written statement that immunization is not indicated and specifies the duration of the exemption if it is temporary.
 - (2) The parents provide a written statement that immunization is contrary to their personal or religious beliefs.
 - (3) Such written statements shall be maintained in the center for as long as the child is enrolled.

101320.1 IMMUNIZATIONS (Continued)	101320.1
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- (f) The licensee shall document each child's immunization and maintain such documentation in the center for as long as the child is enrolled.
- (g) The licensee shall not be required to document immunizations of children also enrolled in a public or private elementary school.

HANDBOOK BEGINS HERE

- (h) Haemophilus influenzae type b (Hib) is the most common cause of bacterial meningitis in infants and young children. Studies suggest that the risk of Hib disease is greater for those children who attend day care centers. A vaccine has been developed for Hib disease and is recommended for children ages 18 months through 5 years. The vaccine may have limited availability in some areas. The parents of children attending or enrolling in day care centers should consult their physicians regarding this vaccine against Hib disease.

HANDBOOK ENDS HERE

NOTE: Authority cited Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101321 CHILD'S RECORDS**101321**

- (a) In addition to Section 101221, the following shall apply.
- (b) Each child's record shall contain the following identifying information, including:
 - (1) Names, addresses, and telephone numbers of relatives or others who can assume responsibility for the child if, for some reason, the parent cannot be reached when necessary.
- (c) Each child's record shall contain the following health information:
 - (1) Dietary restrictions and allergies.
 - (2) Instructions for the action to be taken in case the parent, or the physician designated by the parent, cannot be reached in an emergency.
 - (3) A signed consent form for emergency medical treatment unless the parent has signed the statement specified in Section 101320(c).
- (d) Each child's record shall contain the receipt signed and dated by the parent/guardian acknowledging receipt of the child abuse prevention pamphlet and notice form as required in Section 101319.1.
 - (1) If the parent refuses to sign a receipt for the pamphlet and notice form, a dated notation to that effect shall be retained in the child's record.
- (e) The licensee shall provide the name, address, and telephone number of the child's parent/guardian to the peace officer as specified in Health and Safety Code Section 1596.876.

HANDBOOK BEGINS HERE

Health and Safety Code Section 1596.876 provides:

In any case in which a child day care facility releases a minor to a peace officer pursuant to Section 305 of the Welfare and Institutions Code, the official in charge of that facility shall provide the peace officer with the address and telephone number of the minor's parent or guardian in order to enable the peace officer to make the notification required by Section 308 of the Welfare and Institutions Code.

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NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81, 1596.857, 1596.876 and 1597.05, Health and Safety Code.

101323.1	DISCIPLINE	101323.1
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- (a) Any form of discipline or punishment which violates a child's personal rights, as specified in Section 101223, shall not be permitted.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101326	HEALTH RELATED SERVICES	101326
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- (a) The licensee shall immediately notify parents of any illness or injury in the center more serious than minor cuts and scratches, and obtain their specific instructions regarding action to be taken.
- (1) In the case of an illness severe enough to require isolation of the child, the center shall follow the procedures specified in Section 101326.2.
- (b) The licensee shall make prompt arrangements for obtaining medical treatment for any child, if necessary.
- (c) The licensee shall obtain emergency medical treatment without specific parental instruction in case the parents cannot be reached immediately, or the nature of the illness or injury is such that there should be no delay in getting medical treatment.
- (1) The teacher supervising activities away from the center premises shall carry one of the following for each child engaged in such activities:
- (A) A signed consent form for emergency medical treatment.
- (B) The phone numbers of the parents, relatives, or others who can assume responsibility in an emergency for each child excepted from the requirement for an emergency medical treatment consent form by Section 101320(c).
- (d) The licensee shall maintain the following first aid supplies in a location accessible to staff but inaccessible to children:
- (1) A current edition of a first aid manual.
- (2) Sterile first aid dressings.
- (3) Bandages or roller bandages.

101326 HEALTH RELATED SERVICES (Continued)**101326**

- (4) Adhesive tape.
 - (5) Scissors.
 - (6) Tweezers.
 - (7) Thermometer.
 - (8) Antiseptic solution.
- (e) In centers where the licensee chooses to handle medications:
- (1) All prescription and nonprescription medications shall be centrally stored in accordance with the requirements specified below.
 - (A) Medications shall be kept in a safe place inaccessible to children.
 - (B) Each container shall have an unaltered label.
 - (C) A refrigerator shall be used to store any medication which requires refrigeration.
 - (2) All prescription and nonprescription medications shall be maintained with the child's name, and dated.
 - (3) All prescription and nonprescription medications shall be administered only with the written approval and instructions from the child's parent and in accordance with label directions as prescribed by the child's physician.
 - (A) The written document containing the approval and instructions shall be maintained in the child's record.
 - (4) The licensee shall develop and implement a written plan to record the administration of prescription and nonprescription medications and to inform the parent daily when such medications have been given.
 - (5) When no longer needed by the child, or when the child withdraws from the center, all medications shall be returned to the parent, or disposed of after an attempt to reach the parent.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101326.1 DAILY INSPECTION FOR ILLNESS**101326.1**

- (a) The licensee shall be responsible for ensuring that children with obvious symptoms of illness, including but not limited to fever or vomiting are not accepted.
 - (1) Additional attention shall be paid to children who:
 - (A) Have been absent because of illness.
 - (B) Have been exposed to contagious disease.
- (b) The licensee shall develop and implement a written inspection procedure which shall include the following:
 - (1) No child shall be accepted without contact between the center staff and the person bringing the child to the center.
 - (2) The licensee shall require that the person bringing the child remain until the child is accepted.
 - (A) After the child has been determined to be without obvious signs of illness and has been accepted, the center shall require that the person sign the child in.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101326.2 ISOLATION FOR ILLNESS**101326.2**

- (a) A center shall be equipped to isolate and care for any child who becomes ill during the day.
 - (1) The isolation area shall be located to afford easy supervision.
 - (2) The isolation area shall be equipped with a mat, cot, couch, or bed for each ill child.
 - (3) The isolation area shall not be located in the kitchen area or in the general use toilet area.
- (b) The child's parent shall be notified immediately when the child becomes ill enough to require isolation, and shall be asked to have the child removed from the center as soon as possible.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101326.3 OBSERVATION OF THE CHILD**101326.3**

- (a) The behavior and health of the children shall be continually observed throughout the period of attendance.
- (b) Any unusual behavior or signs of illness shall be reported to the parents and recorded in the child's record.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101327 FOOD SERVICE**101327**

- (a) In addition to Section 101227, the following shall apply.
- (b) The following shall be offered daily:
 - (1) Full-day programs shall offer a midmorning and a midafternoon snack.
 - (2) Full-day programs shall ensure that each child has a lunch.
 - (A) It shall be permissible for parents to send meals for their children.
 - (3) Half-day programs shall offer a midmorning or midafternoon snack.
- (c) Each snack shall include at least one serving from each of two or more of the four major food groups.
- (d) Each meal shall meet the requirements of Section 101227(a)(1).
- (e) A child shall not be served any food to which the child's record indicates he/she has an allergy.
- (f) All centers which prepare meals or snacks on site shall have an area equipped with at least the following:
 - (1) Sink.
 - (2) Hot and cold running water.
 - (3) Refrigeration.
 - (4) Storage space for food.

101327	FOOD SERVICE (Continued)	101327
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(g) The food preparation area shall not be used for:

- (1) Children's play activities, unless such activities are part of a supervised food education program.
- (2) Napping.
- (3) Passageways for children while it is being used for food preparation or service.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101329	RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION	101329
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(a) In addition to Section 101229, the following shall apply:

- (1) No group of children shall be left without the supervision of a teacher at any time. Supervision shall include visual observation.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101329.1	SIGN IN AND SIGN OUT	101329.1
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(a) In addition to the sign-in procedure requirement of Section 101326.1(b), the licensee shall develop, maintain, and implement a written procedure to transfer responsibility for the child from the center to the parent which shall, at a minimum, include the following.

- (1) The person removing the child from the center shall sign the child out.
- (b) Sign in/out sheets for children, required by this Section and by Section 101326.1 shall be kept for one month and shall be available for review at the center by the licensing agency.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101330 ACTIVITIES**101330**

- (a) Each center shall provide a variety of daily activities designed to meet the needs of the children including but not limited to:
 - (1) Quiet and active play.
 - (2) Rest and relaxation.
 - (3) Eating.
 - (4) Toileting.
- (b) All children shall be given an opportunity to nap or rest without distraction or disturbance from other activities at the center.
 - (1) A napping space and a cot or mat shall be available to each child who has not reached his/her fifth birthday.
 - (2) Centers which serve children in half-day programs shall not be required to schedule napping periods or have napping equipment for such children.
 - (3) No child shall be forced to stay awake or to stay in the napping area longer than the normal napping period.
- (c) A teacher child ratio of one teacher supervising 24 napping children shall be permitted provided that the remaining teachers necessary to meet the overall ratio specified in Section 101315.5(a) are immediately available at the center.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

Article 7. PHYSICAL ENVIRONMENT**101338.2 OUTDOOR ACTIVITY SPACE****101338.2**

- (a) There shall be at least 75 square feet per child of outdoor activity space based on the total licensed capacity.
 - (1) The following areas shall not be included in the calculation of outdoor activity space.
 - (A) Swimming pools and adjacent pool decking.
 - (B) Natural or man-made hazards such as canals, cliffs, condemned buildings, creeks, lakes, ocean fronts, mines, power lines, quarries, rivers, ravines, swamps, watercourses, and areas subject to flooding.
- (b) The outdoor activity space shall be situated to:
 - (1) Provide a shaded rest area for the children.
 - (2) Permit children to reach the outdoor activity space safely.
- (c) Equipment and activity areas shall be arranged so that there is no hazard from conflicting activities.
- (d) The surface of the outdoor activity space shall be maintained:
 - (1) In a safe condition for the activities planned.
 - (2) Free of hazards, including but not limited to holes, broken glass and other debris, and dry grasses which pose a fire hazard.
- (e) As a condition of licensure the areas around and under high climbing equipment, swings, slides and other similar equipment shall be cushioned with material, which absorbs falls.
 - (1) Sand, woodchips, peagravel, or rubber mats commercially produced for this purpose, shall be permitted.
 - (2) The use of cushioning material other than that specified in (1) above, shall be approved by the licensing agency in advance of installation.
- (f) Sand boxes shall be inspected daily and kept free of hazardous foreign materials.

101338.2 OUTDOOR ACTIVITY SPACE (Continued)**101338.2**

- (g) The playground shall be enclosed by a fence to provide protection for children and to keep them in the outdoor activity area. The fence shall be at least four feet in height.

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- (1) The intent of this requirement is to have a fence of a type which will keep the children from leaving unnoticed but will not in and of itself present a hazard. For example, a split rail fence is inefficient at keeping children in, and is therefore not appropriate.

A barbed wire fence, which will keep children in, is inappropriate because it presents a hazard.

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- (h) Any construction or equipment including but not limited to incinerators, air conditioning equipment, water heaters, or fuse boxes which cause a hazardous situation in the outdoor activity space shall be made inaccessible to the children in care.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81, and 1597.05, Health and Safety Code.

101338.3 INDOOR ACTIVITY SPACE**101338.3**

- (a) There shall be at least 35 square feet of indoor activity space per child based on the total licensed capacity.
- (1) Bathrooms, halls, offices, isolation areas, food preparation areas, and storage places shall not be included in the calculations of indoor activity space.
- (2) Floor space occupied by shelves, permanent built-in cabinets, space used to meet the requirements of Section 101338.4, and office equipment shall not be included in the calculation of indoor activity space.

101338.3	INDOOR ACTIVITY SPACE (Continued)	101338.3
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- (3) Floor area under tables, desks, chairs and other equipment intended for use as part of children's activities shall be included in the calculation of indoor activity space.

- (b) The floors of all rooms shall have a surface which is safe and clean.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101338.4	STORAGE SPACE	101338.4
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- (a) Provision shall be made for an individual permanent or portable storage space for each child's clothing, personal belongings, and/or bedding.
- (b) There shall be permanent or portable storage space in the play rooms for play materials and equipment.
 - (1) The licensee shall be permitted to store outdoor play materials and equipment outdoors.
- (c) Napping equipment shall be stored at the center when not in use.
- (d) Combustibles, cleaning equipment and cleaning agents shall be stored in an area separate from food supplies in a locked cabinet or in a location inaccessible to children.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101338.5	WADING POOLS	101338.5
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- (a) Notwithstanding the requirements of Section 101238(g), inflatable or other portable plastic wading pools the sides of which are low enough for the children using them to step out unassisted shall not require fencing.

- (1) These pools shall be emptied after each use.

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- (b) For regulations regarding swimming pools and other water activities see Sections 101238(f) and 101316.8.

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NOTE: Authority cited Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101339	FIXTURES, FURNITURE, EQUIPMENT, AND SUPPLIES	101339
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- (a) In addition to Section 101239, the following shall apply.
- (b) Based on the total licensed capacity, one toilet and one handwashing fixture shall be maintained for every 15 children, or fraction thereof.
- (1) Urinals shall be permitted to be used to meet the requirements of this section provided they are at a low enough height, or broad-based platforms or anchored steps are provided, to permit the children to reach them.
- (A) There shall be at least two toilets for each urinal counted.
- (B) Centers with toilet-urinal ratios approved prior to the effective date of these regulations shall not be required to meet the ratio in (A) above.
- (2) Notwithstanding the requirements specified in subsections 101239(e) and (e)(1), handwashing facilities shall not be required to deliver hot water.

101339 FIXTURES, FURNITURE, EQUIPMENT, AND SUPPLIES (Continued)**101339**

- (c) There shall be one toilet and handwashing fixture, separate from and in addition to the number of toilets and handwashing fixtures required in (b) above, designated for use by children who are showing obvious signs of illness, for staff, and for emergency use. They shall be conveniently located in relation to the required isolation area.
- (1) Existing facilities shall not be required to make modifications to meet the requirement in (c) above.

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- (2) The toilet designated for this use may be within the general use area, or may be a separate bathroom.

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- (d) Common towels or washcloths shall be prohibited.
- (e) Tables and chairs shall be provided to meet the needs of the children.
- (1) Tables and chairs shall be scaled to the size of the children.
- (f) There shall be a cot, couch or bed for each ill child as specified in Section 101326.2.
- (g) All play equipment, and materials used by children shall be age-appropriate.
- (h) Furniture and equipment shall be maintained in good condition, free of sharp, loose or pointed parts.

101339 FIXTURES, FURNITURE, EQUIPMENT, AND SUPPLIES (Continued)**101339**

- (i) Playground equipment shall be securely anchored to the ground unless it is portable by design.
 - (1) Equipment shall be maintained in a safe condition, free of sharp, loose or pointed parts.
- (j) Furniture and equipment, including cots and mats used for napping, shall be arranged so that no exit is blocked.
- (k) All materials and surfaces accessible to children, including toys, shall be free of toxic substances.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101339.1 NAPPING EQUIPMENT**101339.1**

- (a) Cots used for napping shall be maintained in a safe condition.
- (b) Mats used for napping shall be:
 - (1) Constructed of foam at least 3/4 inch thick.
 - (2) Covered with vinyl or similar wipeable material.
 - (3) Marked or colored so that the sleeping side can be distinguished from the floor side.
 - (4) Wiped with a detergent/disinfectant weekly or when soiled or wet.
 - (5) Maintained in a safe condition with no exposed foam.

101339.1 NAPPING EQUIPMENT (Continued) 101339.1

- (c) Each cot or mat shall be equipped with a sheet to cover the cot or mat and a blanket or sheet to cover the child, depending upon the weather.
 - (1) Bedding shall not be shared by different children without laundering the bedding.
 - (2) Bedding shall be individually stored so that each child's bedding is identifiable and so that one child's used bedding does not come into contact with other bedding.
 - (3) Sheets shall be washed weekly or when soiled or wet.
 - (4) Blankets shall be cleaned or changed when soiled.
- (d) Napping equipment shall be arranged to provide access, for each child, to a walkway without the necessity of walking on or over the cots or mats of other children.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101339.2 DRINKING WATER**101339.2**

- (a) Drinking water from a noncontaminating fixture or container shall be readily available both indoors and outdoors.
 - (1) Children shall be free to drink as they wish.
 - (2) Anchored steps or a broad-based platform shall be utilized when a drinking fountain is too high for the children in care.

101339.2 DRINKING WATER (Continued)**101339.2**

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- (3) Bottled water or portable containers will be allowed provided that:
- (A) The water and containers are kept free of contamination.
 - (B) Bottled water containers are secured to prevent tipping and breaking.

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- (4) All water for drinking shall be potable as defined in California Administrative Code, Title 24, Part 5.

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- (A) Title 24, Part 5 defines potable water as water which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the health authority having jurisdiction.

HANDBOOK ENDS HERE

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.